

In accordance with notice to members of the Rhode Island Coastal Resources Management Council's Ocean Special Area Management Plan (SAMP) subcommittee, a meeting of the subcommittee was held on Wednesday, Jan. 7, 2009 at 4 p.m. at the University of Rhode Island (URI) Coastal Institute Hazard Room, Narragansett, RI.

MEMBERS PRESENT STAFF PRESENT

Michael M. Tikoian, Chairman Grover Fugate, CRMC Executive Director

Paul Lemont Laura Ricketson-Dwyer, CRMC Public Educator

Don Gomez and Information Coordinator

David Abedon Brian Goldman, Legal Counsel

Others present: Jen McCann, URI/Coastal Resources Center and RI Sea Grant; Ken

Payne, URI and Ocean SAMP stakeholder chair; Cindy Moreau, URI CRC

Call to order. M. Tikoian called the meeting to order at 4:10 p.m.

The subcommittee began the meeting with an introduction explaining how and why the Ocean SAMP Subcommittee was formed; M. Tikoian explained that it will serve an oversight function, as well as a venue for SAMP updates to the Council and a forum for the members to ask

questions of the staff and others working on the SAMP.

Item 1. G. Fugate began a review of the scope of work and budget of the SAMP, including the history of how the Ocean SAMP came to be created.

- In October 2007, the Governor's staff had a meeting with CRMC, and expressed interest in a wind project. The CRMC offered that a planning tool would be the best approach. The parties agreed and CRMC and URI began work on a proposal. The proposal was submitted to the R.I. Economic Development Corporation (EDC) for funds, with a two-year planning timeframe and a requested budget of \$6 million. The result would be a regulatory document similar to other CRMC SAMPs. The EDC approved the project and the state offered a total of \$3.2 million for the two-year planning effort.**
- A report commissioned by the Governor, the RI Winds Study, shows sites for potential wind projects that differ from what the SAMP work has identified so far, but the area off Block Island has shown to be an area of interest because of the wind off the island's coast and the island's high energy costs. Mapping was done in this area over 10 days on the Endeavor.**
- The CRMC and URI also looked to Europe to see how wind farms have been permitted and also their use of the mono-pile structures which are best for 20 meters or less of water.**
- When the Governor chose a developer and the company said they could construct farms in 60 meters of water that put the potential project entirely in federal waters.**

- The CRMC continued to develop a site selection process, which has never been done before. G. Fugate said that the CRMC worked with URI scientists and engineers and others at the university and came up with a model that is now being looked at internationally. The Tier 1 analysis rules out areas that are “deal-breakers” such as shipping lanes or U.S. Department of Defense sites. The model takes into account site constraints, geology, wind and other resources, and now scientists can build in habitat models for two locations proposed for further study that came from the analysis. G. Fugate told the subcommittee that since the CRMC could not look at the entire SAMP area, the site selection model is a smart use of money. There are some studies being conducted by researchers, however, that do look at the entire SAMP area.

- Currently the first chapter of the SAMP has been written in draft form, and others such as the fisheries chapter are being written.

D. Gomez asked if the SAMP would take the place of an Environmental Impact Statement (EIS) in federal waters, and G. Fugate said no, and that an EIS would be required but that there was potential for seven EIS in the federal process.

D. Gomez asked how the energy generated by a wind farm would get to the grid and what would happen when it reached shore. G. Fugate said that the CRMC is looking at that along with National Grid to see likely scenarios for hook-up (possibly to Block Island and then from the island a connection somewhere along the southern coast of the state). There are ongoing discussions regarding transmission from the structures to the island and mainland, he said.

D. Abedon asked if the SAMP would include research on the near-shore area. G. Fugate said that there was a 1 kilometer buffer from the shore because it is an intensely used zone, it's a wave break zone and that wind turbines require a minimum 5 meter water depth.

M. Tikoian then asked about the budget, including how the \$3.2 million would be divided over the two-year period, how much has been spent as of the current date, and what the process is within URI for allocation of monies for the SAMP. C. Moreau explained that the breakdown of spending was approximately \$1.7 million for year one and \$1.5 million for year two. A total of \$78,156 has been spent to-date as of September 30, 2008, she said, and explained that expenditures go through a multitude of people and offices at URI and that there are regular meetings to make sure everything is on-target. G. Fugate explained that each of the investigator amounts is locked in.

M. Tikoian reiterated that he wanted to make sure monies were being spent properly and that there was a quality control for spending.

Item 2. G. Fugate gave the subcommittee a report from the Ocean SAMP management team, including a list of members, and explained that the goal of the team is to hear about the various ongoing projects and to discuss the next steps of the SAMP.

D. Abedon expressed his concern that the SAMP was taking up so much staff time, and M. Tikoian agreed. G. Fugate said the CRMC is receiving no money from the SAMP, and that he has shifted many of his regular duties to the deputy director to focus on the SAMP.

G. Fugate reported that J. McCann is working on the overview and fisheries chapters, and explained the review process for all SAMP chapters. B. Goldman asked whether the first chapter would include what to expect from the permitting process, and G. Fugate said as much as possible. D. Abedon questioned the need for an expedited permitting process if a wind farm is installed in federal waters. G. Fugate said the SAMP would still serve as a guide in that case. D. Abedon said he recalled the developer chosen by the Governor said they would wait for the SAMP, at least in terms of state waters, and G. Fugate said yes, but if Minerals Management Service (MMS) regulations come out with a lease-sale within the SAMP area, people would most likely apply.

Item 3. B. Goldman gave the other members of the subcommittee a legal task force update, including a list of proposed members. The areas of examination of the task force, he said, are overlapping and integration of the SAMP into the National Environmental Policy Act (NEPA); examining Coastal Zone Management Act (CZMA) and consistency authority; leasing public trust lands; and the connection to the grid and Public Utilities Commission (PUC) regulatory issues.

D. Abedon asked if the task force has a time frame for accomplishing its goals. B. Goldman said the group hopes to prioritize the actions and examine other possible legal issues concerning the SAMP, and will be working to set up meetings with federal agencies. G. Fugate said that the agencies are looking into joint agreements and operations with adjoining states and MMS to make for a smoother

regulatory process. All parties agree that making the permitting process as smooth as possible would be beneficial. The subcommittee also discussed the possibility of getting meteorological towers out in the SAMP area to gather additional data.

Item 4. K. Payne gave the subcommittee a report and update from the stakeholder group. He explained the function of the group – not to take votes or operate by consensus but to allow people to be fairly heard and to capture legitimate minority concerns – and explained that the result has been much less confusion about the SAMP process.

There have been three meetings to-date and immediately fisheries presented itself as an issue, K. Payne said. K. Payne summarized the presentations made in the first three meetings.

M. Tikoian said he encouraged subcommittee members to attend the stakeholder meetings. He also asked if it would be appropriate to have another environmental agency that handles fisheries to help with the related issues. G. Fugate said that Dave Beutel (of URI) is working with the fisheries group and so is the state Department of Environmental Management (DEM) and that they would have input on the first chapter of the SAMP.

D. Abedon questioned his role in attending the stakeholder meetings. K. Payne encouraged the subcommittee members to attend as interested members of the public, not representing the CRMC Council. B. Goldman agreed.

J. McCann discussed the ongoing meetings with the different stakeholder groups, the SAMP web site and list serve, and said that the SAMP team was trying to be responsive to all stakeholders.

M. Tikoian asked if there could be a bi-product of all the research to help others. G. Fugate said that the resulting SAMP database would be used for many things and that anyone in the offshore environment would want to use the information; that was expected as part of the outcome, he said.

D. Gomez asked where he could find all of the SAMP materials. J. McCann cited the Ocean SAMP web site. D. Gomez expressed his concern in dealing with the fisheries issues, and added that he had gotten emails from fishermen on their fears of the SAMP. G. Fugate assured him that the SAMP team is working with them.

Other Business

M. Tikoian discussed scheduling the next subcommittee meeting prior to February 15, when the next quarterly progress report is due. The subcommittee members all said they felt good about the SAMP process and the role of the subcommittee.

ADJOURN. The subcommittee voted to adjourn the meeting at 6:20 p.m.

Respectfully submitted January 23, 2009 by

Laura Ricketson-Dwyer, CRMC public educator and information coordinator